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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA, SAN JOSE DIVISION

In re Google Play Consumer Antitrust Litigation

CASE NO. 3:20-CV-05761 JD

Related Actions:

Epic Games, Inc. v. Google, LLC; 3:20-CV-05671-ID

In re Google Play Developer Antitrust Litigation, 3:20-CV-5792-JD

**DECLARATION OF JAMIE L. BOYER IN
SUPPORT OF MOTION TO SHORTEN
TIME FOR HEARING REGARDING
APPOINTMENT OF INTERIM LEAD
COUNSEL**

I, Jamie L. Boyer, declare as follows:

1. I am an attorney with the law firm of Korein Tillery LLC and am one of the attorneys representing Plaintiffs in this action. I am admitted *pro hac vice* to practice in this Court.

2. I submit this declaration in support of Plaintiff Carr, Bentley and Carroll's (collectively "Moving Plaintiffs") Motion to Shorten Time for Hearing Regarding Appointment of Interim Lead Counsel.

3. The contents of this declaration are based on my personal knowledge. If called as a witness, I could and would competently testify thereto.

4. On Wednesday, November 25, 2020, counsel for the pending consumer class actions participated in a conference call to discuss class leadership and a consolidated complaint.

5. During that call, counsel for *Herrera v. Google, LLC* (“*Herrera*”) and *McNamara v. Google, LLC* (“*McNamara*”) offered to prepare a proposed leadership structure for the group’s consideration and circulate it over the following weekend.

6. While all counsel pledged to keep discussing an agreed-upon leadership structure, counsel for *Herrera* and *McNamara* indicated they would be filing a competing motion to be appointed interim co-lead counsel on November 25, 2020.

1 7. Given these circumstances, Moving Plaintiffs asked the other attorneys on the call if
2 they would agree to shorten the hearing period so leadership could be addressed well before the
3 December 28, 2020 consolidated complaint deadline.

4 8. Counsel declined and instead suggested seeking more time to file the consolidated
5 complaint.

6 9. The Moving Plaintiffs rejected this suggestion as it would further delay responsive
7 pleadings and discovery.

8 10. A follow-up call was scheduled for Monday, November 30, 2020, during which
9 counsel discussed the leadership proposal; as the proposal was received shortly before the scheduled
10 conference, a follow-up call was scheduled for Tuesday, December 1, 2020.

11 11. During the November 30, 2020, call, Moving Plaintiffs again sought counsel's
12 agreement on this request to shorten time; other plaintiffs' counsel advised that they would not
13 support the request.

14 12. At this time, the parties in *In re Google Play Consumer Antitrust Litigation*, *In re*
15 *Google Play Developer Antitrust Litigation*, and *Epic Games, LLC v. Google, LLC* are actively
16 engaged in meet and confers regarding requests for production and ESI production.

17 13. Pursuant to 28 U.S.C. §1746, I declare under penalty of perjury that the foregoing is
18 true and correct and that I executed this declaration on November 30, 2020 in St. Louis, Missouri.

/S/ Jamie L. Boyer

Jamie L. Boyer

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